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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

ALBERTO GARIBAY,

Defendant.

CASE NO. 2:24-CR-0067-DAD

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
FINDINGS AND ORDER

DATE: June 30, 2025
TIME: 9:30 a.m.
COURT: Hon. Dale A. Drozd

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for status on June 30, 2025.
2. By this stipulation, defendant now moves to continue the status conference until July 7, 2025, and to exclude time between June 30, 2025, and July 7, 2025, under Local Code T4.
3. The parties agree and stipulate, and request that the Court find the following:
 - a) The government has represented that the discovery associated with this case includes thousands of pages of police reports, photographs, and search warrants. All of this discovery has been either produced directly to counsel and/or made available for inspection and copying. Since the last continuance in this matter, the government additionally disclosed wiretap

1 documents and wiretapped calls related to this case. The government also extended a plea offer
2 to counsel for Garibay. The parties anticipate that at the next status hearing, they will ask the
3 Court to schedule a trial in this matter.

4 b) Counsel for defendant desires additional time to review the discovery, review the
5 plea offer, discuss the discovery and plea with his client, prepare motions, and otherwise prepare
6 for trial.

7 c) Counsel for defendant believes that failure to grant the above-requested
8 continuance would deny him/her the reasonable time necessary for effective preparation, taking
9 into account the exercise of due diligence.

10 d) The government does not object to the continuance.

11 e) Based on the above-stated findings, the ends of justice served by continuing the
12 case as requested outweigh the interest of the public and the defendant in a trial within the
13 original date prescribed by the Speedy Trial Act.

14 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
15 et seq., within which trial must commence, the time period of June 30, 2025 to July 7, 2025,
16 inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4]
17 because it results from a continuance granted by the Court at defendant's request on the basis of
18 the Court's finding that the ends of justice served by taking such action outweigh the best interest
19 of the public and the defendant in a speedy trial.

20 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the
21 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial
22 must commence.

23 IT IS SO STIPULATED.
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1 Dated: June 23, 2025

MICHELE BECKWITH
Acting United States Attorney

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3 /s/ ROSS PEARSON
ROSS PEARSON
Assistant United States Attorney

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5 Dated: June 23, 2025

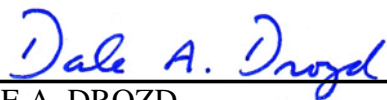
6 /s/ PERCY MARTINEZ
PERCY MARTINEZ
Counsel for Defendant
ALBERTO GARIBAY
7 (Authorized by email on June
8 23, 2025)

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10 **ORDER**

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12 Pursuant to the stipulation of the parties and good cause appearing, the status conference
13 previously scheduled for June 30, 2025 is continued to until July 7, 2025, at 9:30 a.m. and time is
14 excluded between June 30, 2025, and July 7, 2025, under Local Code T4.

15 IT IS SO ORDERED.

16 Dated: **June 24, 2025**

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DALE A. DROZD
UNITED STATES DISTRICT JUDGE